



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/043,115	01/14/2002	David Appleyard	48903 DIV



PATENT & TRADEMARK OFFICE  
Albert B. Keil  
KEIL & WEINKAUF  
1101 Connecticut Avenue, N.W.  
Washington, DC 20036

**CONFIRMATION NO. 6661**  
**FORMALITIES LETTER**



\*OC00000007521341\*

Date Mailed: 02/22/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Murray Horton*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Line spacing on the specification, claims, or abstract is not 1-1/2 or double spaced (See 37 CFR 1.52(b)).
  - The specification cannot be scanned or properly stored. Page(s)
    - 1-34 do not comply with the size requirements (8 1/2 by 11 inches or 21.0 by 29.7 cm). *The drawings filed are unacceptable because: Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.*
- Substitute drawings in compliance with 37 CFR 1.84 because:

- are not on the correct size paper (see 37 CFR 1.84(f)) The size of the sheets on which drawings are made must be either 21.0 cm. by 29.7 cm. (DIN size A4) or 21.6 cm. by 27.9 cm (8 1/2 by 11 inches);
- 

*A copy of this notice **MUST** be returned with the reply.*

*J. K. Rieger*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

SEARCHED  
INDEXED  
SERIALIZED  
FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# 8

In re Application of: )  
APPLEYARD et al. )  
Serial No. 09/275,771 )  
Filed: March 25, 1999 )  
For: RANDOM PROPYLENE COPOLYMERS



Group: 1713

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on: June 28, 1999

Date of Deposit Herbert B. Keil

Person Making Deposit

*Herbert B. Keil*  
Signature

June 28, 1999

Date of Signature

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

**RESPONSE TO NOTICE OF MISSING PARTS**  
**AND**  
**PETITION UNDER 37 CFR 1.47(a)**

Sir:

In response to the Notice to File Missing Parts of Application mailed May 4, 1999, applicants enclose the executed Declaration herewith. Applicants note that one of the inventors of the invention of the present application, Murray Horton, refuses to sign the Declaration. Thus, applicants hereby petition for acceptance of this application under 37 CFR 1.47(a).

Mr. Horton's last known address is:

53 Coppice Road  
Willaston  
Nantwich

05/06/2002 VTRUONG1 00000015 110345 10043115

02 FC:122

130.00 CH

Cheshire  
CW5 6QD  
Great Britain.

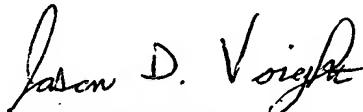
The other nine inventors make the present application on behalf of themselves and the omitted inventor.

The enclosed declaration of Stefan Seelert specifies the circumstances of the refusal. A copy of correspondence between Dr. Seelert and Mr. Horton wherein Mr. Horton states his intentions not to sign the application papers is also enclosed.

A check for \$260 to cover the \$130 late filing fee (37 CFR 1.16(e)) and the \$130 petition fee (37 CFR 1.17(i)) is enclosed. Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF



Jason D. Voight  
Reg. No. 42,205

1101 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 659-0100

JDV/kas



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of:

APPLEYARD et al.

Serial No. 10/043,115

Filed: January 14, 2002

For: RANDOM PROPYLENE COPOLYMERS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

April 12, 2002

Date of Deposit

Herbert B. Keil

Person Making Deposit

Signature

Herbert B. Keil

Date of Signature

April 12, 2002

RESPONSE TO ERRONEOUSLY ISSUED  
NOTICE TO FILE CORRECTED APPLICATION PAPERS AND  
PETITION TO ACCORD FILING DATE

Hon. Commissioner of Patents  
& Trademarks  
Washington, D.C. 20231

Sir:

In response to the notice of missing requirements dated February 22, 2002, attached is an copy of the Response and Petition as filed on June 28, 1999(certificate of mailing) in the parent application (U.S. Serial No. 09/275,771), noting applicant Murray Horton's refusal to sign the Declaration in the parent application. Also attached is a copy of the Decision from the U.S. Patent and Trademark Office of Petitions, dated October 30, 2000, granting the petition and according the application acceptance under 37 CFR 1.47(a).

Applicants submit herewith an exact duplication of the above-identified divisional application as originally filed on January 14, 2002. This application was initially filed on 8½ X 11 paper and is being resubmitted on the 8½ x 11 paper making it in compliance with 37 CFR 1.52. Applicants also hereby attach a copy of the Preliminary Amendment

discussing the specification changes and description of the drawings and the stamped PTO postcard showing receipt of the papers which were filed on January 14,2002 in the above-identified application

Petitioners respectfully submit that this Notice was erroneously issued by the U.S. Patent and Trademark Office, therefore no fee should be required and the above-identified application should be accorded the filing date of January 14, 2002 and forwarded on for further prosecution.

To the extent necessary, applicant(s) petition for an Extension of Time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Entry is respectfully requested.

Respectfully submitted,  
KEIL & WEINKAUF



Herbert B. Keil  
Reg. No. 18,967

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HBK/mks